

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
NAPALI KAYAK, INC. )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 01-0265

ORDER NO. 19677

Filed Sept. 26, 2002  
At 8:00 o'clock A.M.

Karen Higashi  
Chief Clerk of the Commission

RECEIVED  
2002 SEP 26 P 4:11  
DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
NAPALI KAYAK, INC. ) Docket No. 01-0265  
For a Motor Carrier Certificate or ) Order No. 19677  
Permit. )  
\_\_\_\_\_ )

ORDER

By Decision and Order No. 19283, filed on April 8, 2002, we approved the application of NAPALI KAYAK, INC. (Applicant) for a certificate of public convenience and necessity to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Kauai in the 8-to-25 passenger classification, limited to providing transportation services in conjunction with its kayak tours. We also: (1) ordered Applicant, as a condition to our approval of the application, to comply with all commission requirements for common carriers, including submitting certain documents within 120 days of the issuance of the decision and order; and (2) notified Applicant that failure to timely comply with the commission's requirements would constitute cause for the commission to void the decision and order. We served Applicant with a copy of the decision and order by mail, postage prepaid, on the same day that the decision and order was issued, in accordance with Hawaii Administrative Rules §§ 6-61-21 and 6-61-122. Additionally, we sent a letter to Applicant, dated April 8, 2002,

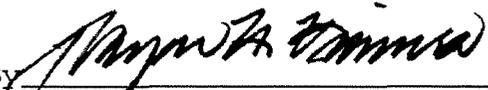
which reiterated the commission's requirements and specified August 8, 2002, as the deadline for compliance.

The 120-day time period has passed, and Applicant has not complied with the requirements set forth under Decision and Order No. 19283. The commission, thus, determines that Decision and Order No. 19283 should be voided.

THE COMMISSION ORDERS that Decision and Order No. 19283 is voided and this docket is closed.

DONE at Honolulu, Hawaii this 26th day of September, 2002.

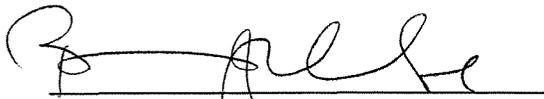
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

By (RECUSED)  
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

01-0265.eh

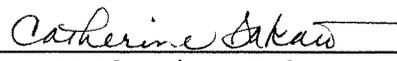
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19677 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

NAPALI KAYAK, INC.  
P. O. Box 1082  
Kalaheo, HI 96741

JAMES LICKE, ESQ.  
ATTORNEY AT LAW  
4357 Rice Street, Suite 101  
Lihue, HI 96766

  
\_\_\_\_\_  
Catherine Sakato

DATED: September 26, 2002